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6 Attorneys for Defendant
7 DaimlerChrysler Corporation
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10 UNITED STATES DISTRICT COURT
11 FOR THE NORTHERN DISTRICT OF CALIFORNIA

12 DAVID BELL and GARY ERLINGER,
13 Individually and on Behalf of All Others
14 Similarly Situated,

15 Plaintiffs,

16 v.

17 DAIMLERCHRYSLER CORPORATION

18 Defendant.
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CASE NO. C 05-2971 CW

**STIPULATION AND [PROPOSED]—
ORDER STAYING ACTION
AS MODIFIED**

1 The parties to the above-captioned action (the "Parties"), by and through their respective counsel
2 of record, hereby stipulate as follows:

3 WHEREAS the Parties have reached a nationwide class action settlement of this matter and
4 related matters in other courts;

5 WHEREAS on June 1, 2006, the settlement was preliminarily approved by the Superior Court
6 of New Jersey, Bergen County in *Lubitz, et al. v. DaimlerChrysler Corp*, Docket No. BER-L-4883-
7 04 ("Lubitz");

8 WHEREAS, the Court in Lubitz has currently scheduled a Fairness Hearing for October 30,
9 2006 to determine, *inter alia*, whether the settlement will be finally approved;

10 AND WHEREAS, the Parties agree that in the interest of efficiency, this matter should not be
11 actively litigated while the settlement is pending final approval,

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1 IT IS HEREBY STIPULATED by and between the Parties that this action be stayed pending (1) a
2 dismissal to be filed by Plaintiffs after final approval of the settlement by the Court in *Lubitz*; or (2) a
3 status conference to be held thirty (30) days after the date of the Fairness Hearing, on November 29,
4 2006, if the matter has not yet been dismissed.

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6 **ATTESTATION OF JAMES P. FOGELMAN**

7 I, James P. Fogelman, hereby attest that the contents of this document are acceptable to all
8 persons required to sign it. I further attest that I have on file all holograph signatures for any
9 signatures indicated by a "conformed" signature (/s/) within this efiled document.

10 Dated: June 26, 2006

GIBSON, DUNN & CRUTCHER LLP
G. Charles Nierlich
Gail E. Lees
James P. Fogelman

/s/ James P. Fogelman
James P. Fogelman

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14 Attorneys for Defendant
15 DaimlerChrysler Corporation

16 Dated: June 26, 2006

STULL, STULL & BRODY
Timothy J. Burke

17 /s/
18 Timothy J. Burke

19 Attorneys for Plaintiffs
David Bell and Gary Erlinger

20 IT IS SO ORDERED: THE CASE MANAGEMENT CONFERENCE PREVIOUSLY SET FOR
21 9/22/06 IS CONTINUED TO 1/12/07 AT 1:30 P.M.

22 Dated 7/7/06

Claudia Wilkin
Honorable Claudia Wilkin
United States District Court
Northern District of California

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24 100024207_1.DOC

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2 **CERTIFICATE OF SERVICE**
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I, Paul W. Edwards, declare as follows:

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2 I am employed in the County of Los Angeles, California ; I am over the age of eighteen years
3 and am not a party to this action; my business address is 333 S. Grand Ave., Los Angeles, California
4 90071, in said County and State. On June 26, 2006, I served the following documents:
5

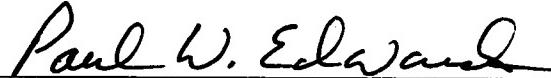
6 **(1) STIPULATION AND [PROPOSED] ORDER STAYING ACTION**
7

on the parties stated below, by the following means of service:

8
9 **SEE ATTACHED LIST**
10

- 11 **BY ELECTRONIC E-FILE SERVICE:** On the above-mentioned date, I caused the above
12 mentioned document(s) to be electronically filed and served to all ECF (Electronic Case Filing)
Registered Counsel of Record.
13 **(FEDERAL)** I declare under penalty of perjury that the foregoing is true and correct.

15 Executed on June 26, 2006

16 
17 Paul W. Edwards

SERVICE LIST

Bell, et al. v. DaimlerChrysler Corp.
United States District Court
For The Northern District of California
Oakland Division
Case No. C 05-2971 CW

By Electronic Service

Counsel	Party	Fax/Tel. Numbers
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